

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

TOVAR SNOW PROFESSIONALS, INC.,)	
)	
Plaintiff,)	
)	
v.)	No. 1:15-cv-00200-TWP-DML
)	
ALL SEASONS GENERAL)	
CONTRACTING, LLC,)	
)	
Defendant.)	

ENTRY ON JURISDICTION

It has come to the Court’s attention that Plaintiff’s Complaint fails to allege all of the facts necessary to determine whether this Court has subject matter jurisdiction over this case. The Complaint alleges that this Court has jurisdiction based upon diversity of citizenship. However, the Complaint fails to sufficiently allege the citizenship of the Defendant. Citizenship is the operative consideration for jurisdictional purposes. *See Meyerson v. Harrah’s East Chicago Casino*, 299 F.3d 616, 617 (7th Cir. 2002) (“residence and citizenship are not synonyms and it is the latter that matters for purposes of the diversity jurisdiction”).

“For diversity jurisdiction purposes, the citizenship of an LLC is the citizenship of each of its members.” *Thomas v. Guardsmark, LLC*, 487 F.3d 531, 534 (7th Cir. 2007). “Consequently, an LLC’s jurisdictional statement must identify the citizenship of each of its members as of the date the complaint or notice of removal was filed, and, if those members have members, the citizenship of those members as well.” *Id.* The Complaint alleges that Defendant “All Seasons [General Contracting, LLC] is an Indiana limited liability company with its primary place of business located at 313 South Western Avenue, Kokomo, Indiana 46901.” ([Filing No. 1 at 1.](#)) This does not establish the citizenship of Defendant All Seasons General Contracting, LLC. Alleging the identity

and citizenship of each member of Defendant All Seasons General Contracting, LLC is necessary for this Court to determine whether it has jurisdiction.

Therefore, the Plaintiff is **ORDERED** to file a Supplemental Jurisdictional Statement that establishes the Court's jurisdiction over this case. This statement should specifically identify each of the members of Defendant All Seasons General Contracting, LLC and their citizenship. This Supplemental Jurisdictional Statement is due **7 days** from the date of this Entry.

SO ORDERED.

Date: 2/24/2015



Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

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